

Appl. No. : **10/647,369**
Filed : **August 25, 2003**

REMARKS

Claims 1-10, 14-19, and 22-27 remain pending in the present application, none of the claims having been amended, canceled or added.

In response to the Office Action mailed April 24, 2007, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

All Of The Outstanding Rejections Are Moot

Claims 1, 4-7, 10, 15, 18, 19, 23-25, and 27 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Matsuda et al ‘089. Claims 22 and 26 stand rejected under 35 U.S.C. § 103(a) as being obvious of Matsuda et al. Claims 1, 4-10, 15-19, and 22-27 stand rejected under 35 U.S.C. § 103(a) as being obvious over Shaw ‘275 in view of Matsuda et al. Claims 2, 3, and 14 stand rejected under 35 U.S.C. § 103(a) as being obvious over Shaw ‘275 in view of Matsuda et al. and Barthruff. Applicant traverses all of these rejections.

However, in order to expedite prosecution of the present Application, Applicant has submitted herewith a certified translation of the foreign-filed priority application (JP 2002-246407, filed August 27, 2002) of the present Application. Thus, the present claim of priority to JP 2002-246407 is now perfected.

With regard to the use of Matsuda et al. ‘089 as prior art, the present Application is entitled to the filing date of August 27, 2002, which is prior to the U.S. filing date of Matsuda et al. ‘089 (which is October 10, 2002). Thus, Matsuda et al. ‘089 cannot be used as prior art against the present Application.

Applicant notes that all of the outstanding rejections rely on Matsuda et al. ‘089. Because Matsuda et al. ‘089 cannot be used as prior art, as noted above, Applicant submits that all of the outstanding rejections are now moot.

CONCLUSION

For the reasons presented above, Applicant respectfully submits that this application, as amended, is in condition for allowance. If there is any further hindrance to allowance of the pending claims, Applicant invites the Examiner to contact the undersigned.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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